

**City Council**  
**Rights, Duties & Responsibilities**  
**Article XV (Proposition F)**

**General Provisions - Charter Sections 270: The Council**

Sub-Sec	Rule
a	<b>Duties and Composition</b> <ul style="list-style-type: none"> <li>• Composed of eight members</li> <li>• Elected by district</li> <li>• Shall be San Diego's Legislative Body</li> </ul>
b	<b>Right of Each Councilmember to vote on all actions</b> <ul style="list-style-type: none"> <li>• Each councilmember may vote on all questions before the Council</li> </ul>
c	<b>Manner of passing Actions</b> <ul style="list-style-type: none"> <li>• Five votes needed to pass an item.</li> <li>• All substantive actions must be adopted by resolution or ordinance</li> </ul>
d	<b>Right of Council to establish its own rules of procedure</b> Permanent Rules of Council SDMC 22-0101.5. Ord. No. # O-19429 - Adopted October 17, 2005; effective January 1, 2006 <ul style="list-style-type: none"> <li>• Council may establish its own rules as provided in Ch Sec 14 including               <ul style="list-style-type: none"> <li>• Process for selecting the presiding officer (Council President)</li> <li>• Managing the docket process</li> </ul> </li> <li>• These rules must include:               <ul style="list-style-type: none"> <li>• A way for the Mayor and independent departments to propose matters of Council consideration.</li> <li>• A way for the Mayor, Council President and City Attorney to docket matters for closed session.</li> </ul> </li> </ul>
e	<b>Council Committees and Council Boards and Commissions</b> <ul style="list-style-type: none"> <li>• Council may establish committees of the Council and advisory boards and commissions pursuant to Ch Sec 43</li> </ul>
f	<b>Office of the Independent Budget Analyst ("IBA")</b> Establishment of and Office of IBA SDMC 22.1801(b) and SDMC 22.2301 et seq. Ord. No. O-19431 Adopted October 31, 2005; effective January 1, 2006 <ul style="list-style-type: none"> <li>• Council may establish an Office of the IBA. IBA department head is selected by the Council and may also be removed by the Council.</li> </ul>
g	<b>Prohibition against influence in hiring or procurement</b> (Recodification of Ch § 22(a)) <ul style="list-style-type: none"> <li>• Individual Councilmembers may not directly or indirectly influence the Mayor, Mayoral Designee or Independent Department Head in personnel matters, purchasing or procurement</li> </ul>
h	<b>Requirement to work through Mayor or Designee in Informational Inquiries</b> (Recodification of Ch. § 22(b)) <ul style="list-style-type: none"> <li>• In making inquiries of city staff under the Mayor, the Council shall work through the</li> </ul>

	Mayor or the Mayor's designee.
i	<b>Right to require the Mayor or designee to appear</b> <ul style="list-style-type: none"> <li>Any City Official or department head may be summoned to appear before the Council or a Council Committee to provide information or answer any question.</li> </ul>

### **Charter Section 285: Enactment Over Veto**

- Council shall reconsider any resolution vetoed by the Mayor within 30 days of that veto.
- Five votes required to override a Mayoral veto.
  - Exception: Where an action requires more than five votes (there are some which require at least two thirds majority) then the same number of votes required for passage is required to override a Mayoral veto.
- Effect: the resolution or ordinance goes into effect in spite of the Mayor's veto.
- If the Council takes no action within the required 30 days, the veto stands and the action fails.

### **Charter Section 290: Council Consideration of Salary Ordinance and Budget; Special Veto Power**

Sub-Sec.	Rule
a	<b>Salary Ordinance</b> <i>Background: Adoption of the Salary Ordinance, as with any ordinance, requires two separate votes of Council; an introduction (the first vote) followed by adoption (the second vote). Unlike, other ordinances where the Mayor exercises the veto, where permitted, following the final action of the Council, with the Salary Ordinance the Charter embeds a mayoral "veto" within the introduction and adoption process.</i> <ul style="list-style-type: none"> <li>The Mayor proposes the Salary Ordinance. The Salary Ordinance submitted by the Mayor must be consistent with existing memoranda of understanding with recognized labor organizations OR otherwise conform with rules governing labor negotiations (Meyers-Milias Brown Act). (Ch § 290(a))</li> <li>Introduction           <ul style="list-style-type: none"> <li>Council must "introduce" the Salary Ordinance by April 15 of each year</li> <li>Upon Introduction, the Salary Ordinance is transmitted to the Mayor</li> </ul> </li> <li>Mayoral Veto           <ul style="list-style-type: none"> <li>The Mayor has 5 business days from Council's introduction to approve the ordinance or veto all or any specific provisions within it.</li> <li>Mayor transmits Salary Ordinance back to the Council explaining any veto.</li> </ul> </li> <li>Council Adoption of the Salary Ordinance           <ul style="list-style-type: none"> <li>Upon receipt of the Mayor's resubmission, the Council must adopt the Salary Ordinance within 10 business days and may:               <ul style="list-style-type: none"> <li>adopt the version originally introduced above OR</li> <li>Adopt the salary ordinance as amended by the Mayor's veto action above.</li> </ul> </li> </ul> </li> </ul>
b	<b>Budget Process</b> <i>Background: Per Charter Section 265(c) the Mayor must report to the City Council by January 15 of each year on the condition of the City.</i>

	<ul style="list-style-type: none"> <li>• Mayor Proposes an annual budget for the coming fiscal year (July 1 – June 30) by April 15 (Charter Section 265(b)(15))</li> <li>• Council Approval of a Budget by Resolution <ul style="list-style-type: none"> <li>○ By June 15 and following at least two public hearings, the Council must approve an annual budget by resolution. Council may approve the budget as submitted by the Mayor, or modify the budget in whole or in part.</li> <li>○ Council Transmits its approved budget to the Mayor</li> </ul> </li> <li>• Mayoral Review <ul style="list-style-type: none"> <li>○ Within five business days, the mayor may approve, veto or modify any line item approved by the Council.</li> </ul> </li> <li>• Council Override <ul style="list-style-type: none"> <li>○ Within five business days, the Council may override (by a five-vote majority) any modification made by the Mayor. The Council's override is limited to an amount which lies between the Council's proposal and the Mayor's modification.</li> <li>○ Council's successful overrides become the controlling authority on that budgetary item</li> </ul> </li> </ul>
c	<b>Annual Appropriation Ordinance</b> <ul style="list-style-type: none"> <li>• During July, Council adopts the appropriations Ordinance consistent with Charter Section 71 (unchanged by Proposition F)</li> </ul>
d	<b>The Mayor may not veto the appropriations ordinance.</b>